

REPRESENTATIONS AND CERTIFICATIONS FROM OFFERORS**SUBMITTING PROPOSALS UNDER DFARS 35.70 (ALSO SEE ATTACHMENT D)****1. CONTINGENT FEE REPRESENTATION AND AGREEMENT (APR 1984) (FAR 52.203-4)** Applies to contracts of \$100,000 or more.

a. REPRESENTATION. The offeror represents that, except for full-time bona fide employees working solely for the offeror, the offeror (X one)

- ☐ (1) has ☐ (2) has not employed or retained any person or company to solicit or obtain this contract; and (X one)
- ☐ (3) has ☐ (4) has not paid or agreed to pay to any person or company employed or retained to solicit or obtain this contract any commission, percentage, brokerage, or other fee contingent upon or resulting from the award of this contract.

b. AGREEMENT. The offeror agrees to provide information relating to the above Representation as requested by the Contracting Officer and, when subparagraph 1a above is answered affirmatively, to promptly submit to the Contracting Officer

- (1) A completed Standard Form 119, Statement of Contingent or Other Fees, (SF 119); or
- (2) A signed statement indicating that SF 119 was previously submitted to the same contracting office, including the date and applicable solicitation or contract number, and representing that the prior SF 119 applies to this offer or quotation.

2. CERTIFICATION OF NONSEGREGATED FACILITIES (APR 1984) (FAR 52.222-21) Applies to contracts of \$100,000 or more.

a. The offeror (X one)

- ☐ (1) does ☐ (2) does not maintain or provide to its employees any segregated facilities, and (X one)
- ☐ (3) will ☐ (4) will not permit any of its employees to perform their service at any location under its control where segregated facilities are maintained. It is agreed that a breach of this certification is a violation of the Equal Opportunity clause in this contract. It is further agreed that identical certificates will be obtained from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provision of the Equal Opportunity clause; that such certifications will be maintained in the Offeror's files; and that the notice required by FAR 52.222-21(c) (3) will be forwarded to such proposed subcontractors.

3. PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (APR 1984) (FAR 52.222-22)

a. The offeror (X one)

- ☐ (1) has ☐ (2) has not participated in a previous contract or subcontract subject either to the Equal Opportunity clause listed in FAR 52.222-26, the clause originally contained in Section 310 of Executive Order No. 10925, or the clause contained in Section 201 of Executive Order No. 11114.

b. The offeror (X one)

- ☐ (1) has ☐ (2) has not filed all compliance reports. Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.

4. AFFIRMATIVE ACTION COMPLIANCE (APR 1984) (FAR 52.222-25)

a. The offeror represents that it (X one)

- ☐ (1) has developed and has on file or
- ☐ (2) has not developed and does not have on file at each establishment, affirmative action programs required by the rules and regulations of the Secretary of Labor (41 CFR 60-1 and 60-2), or
- ☐ (3) has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

☐ a. There are no known organizational conflicts of interest.

☐ b. Information is provided as an appendix concerning potential or real organizational conflict of interest.

6. CLEAN AIR AND WATER CERTIFICATION (APR 1984) (FAR 52.223-1)

Applies to contracts of \$100,000.00 or more.

a. The offeror certifies that:

(1) Any facility to be used in the performance of this proposed contract (X one)

☐ (a) is ☐ (b) is not listed on the Environmental Protection Agency List of Violating Facilities;

(2) The offeror will immediately notify the Contracting Officer, before award, of the receipt of any communication from the Administrator, or a designee, of the Environmental Protection Agency, indicating that any facility that the Offeror proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities; and

(3) The offeror will include a certification substantially the same as this certification, including this paragraph (6a(3)), in every nonexempt subcontract.

7. INSURANCE - IMMUNITY FROM TORT LIABILITY (APR 1984) (FAR 52.228-7)

Applies to cost-reimbursement type contracts only.

a. The offeror (X one)

☐ (1) does ☐ (2) does not claim immunity to tort liability as a state or charitable institution under (X one)

☐ (a) Alternate I
(Partial Immunity)

☐ (b) Alternate II
(Total Immunity)

8. OFFEROR INFORMATION

a. TYPED NAME OF CONTRACTOR

b. TYPED NAME OF CONTRACTOR REPRESENTATIVE

c. SIGNATURE OF CONTRACTOR REPRESENTATIVE

d. DATE SIGNED (YYMMDD)